

**BOARD OF ENVIRONMENTAL PROTECTION**  
**Meeting Minutes**

August 5, 2004

A meeting of the Board of Environmental Protection was held on Thursday, August 5, 2004, at the Holiday Inn / Ground Round in Augusta, Maine. Richard Wardwell, Chair, called the meeting to order at 9:00 a.m. with the following individuals present:

**Board:** Ernest Hilton, Irving Faunce, Donald Guimond, Richard Wardwell, Jean T. Wilkinson, Nancy Ziegler and Matt Scott

**Absent:** Virginia Plummer and Nancy Anderson

<b><u>Staff:</u></b>	Bureau of Air Quality	Jeff Kalinich
	Bureau of Air Quality	Ron Severance
	Bureau of Air Quality	Marc Cone
	Bureau of Air Quality	Jeff Crawford
	Office of the Commissioner	Jim Dusch
	Office of the Commissioner	Peter Carney
	Bureau of Land and Water Quality	Mike Mullen
	Bureau of Remediation and Waste Mgmt.	Scott Whittier
	Bureau of Remediation and Waste Mgmt.	Mike Hudson

**Others:** David Littell, Deputy Commissioner  
Jerry Reid, Assistant Attorney General  
Terry Hanson, Administrative Assistant

***(Meeting adjourned at approximately 12:30 p.m.)***

**I. DEPARTMENTAL**

**A. COMMISSIONER'S COMMENTS:** Deputy Commissioner David Littell reported the following:

Bonds: Recent Legislative leadership discussions related to bonds may result in agreement to pass an environmental bond that will aid securing substantial federal match funding.

Public Health: The Deputy Commissioner provided Board members with a handout related to the Department's Public Health and the Environment Initiative. This informational handout identified specific goals and environmental health areas the Department may focus on. The advisory committee will report back to the Commissioner on recommendations to advance any of those proposed initiatives. The advisory committee consists of staff from all Department program bureaus as well as senior members from the Bureau of Health (Dr. Dora Mills, Dr. Philip Haines and Dr. Andrew Smith).

Questions:

Board member Jean Wilkinson asked if the public health initiative was a new initiative.

*Deputy Commissioner explained that Commissioner Gallagher announced this initiative last fall and coordination of this effort has resulted in the development of an advisory committee.*

**B. CHAIRMAN'S COMMENTS:**

Chairman Wardwell explained that today's agenda is limited as the result of previously scheduled items being postponed and that the meeting was necessary to post rulemaking to hearing. This is unavoidable at times and staff looked hard at canceling the meeting.

Mr. Wardwell noted that Department staff did a very good job responding to questions about the dam removal on the Kennebec River. An article in the Kennebec Journal and an engineering magazine contained several quotes from Department staff.

**C. EXECUTIVE ANALYST COMMENTS:** None

**D. BOARD CALENDAR:** Reviewed

**E. DEPARTMENTAL ORDERS:** Reviewed

**F. EXECUTIVE SESSION:** None

## **II CONSENT AGENDA ITEMS**

The Board voted (7-0-0-2) to approve agenda items 1, 2, 3, 4, 5, and 6 as presented.

1. PENOBSCOT ENERGY RECOVERY COMPANY, Orrington – Administrative Consent Agreement (BAQ)
2. DICK BOURNIVAL DODGE, INC., York – Administrative Consent Agreement (BAQ)
3. SOUTHWEST BOAT MARINE SERVICES, INC., Southwest Harbor – Administrative Consent Agreement and Enforcement Order (BLWQ – Water)
4. ABATEMENT SOLUTIONS, INC., Lewiston – Administrative Consent Agreement (BRWM)
5. THE AULSON CO., INC., Lewiston – Administrative Consent Agreement (BRWM)
6. BOSAFE ENVIRONMENTAL SERVICES, INC., Portland – Administrative Consent Agreement (BRWM)

## **III. Regular Agenda**

1. CHAPTER 151, ARCHITECTURAL AND INDUSTRIAL MAINTENANCE (AIM) COATINGS / NEW (post to public hearing)  
Staff: Jeff Crawford, Bureau of Air Quality

The Board voted (7-0-0-2) to post Chapter 151, Architectural and Industrial Maintenance (AIM) Coatings to public hearing on September 16, 2004 and establish September 30, 2004 as the deadline for written public comment. The vote was taken pursuant to 38 M.R.S.A. Section 341-D and Section 1295.

*Board members Ernest Hilton, Irving Faunce, Donald Guimond, Richard Wardwell, Jean T. Wilkinson, Nancy Ziegler and Matt Scott voted to support the motion. Board members Virginia Plummer and Nancy Anderson were absent.*

2. SMIS LUMBER LLC / VOLATILE ORGANIC COMPOUND (VOC) OFFSET CREDIT (advisory only – no vote to be taken)  
Staff: Marc Cone, Bureau of Air Quality

## **WORKSHOP:**

Enforcement and Compliance (continuation from May 20, 2004)

Staff: James Dusch, Office of the Commissioner

Staff: Mike Mullen, Bureau of Land and Water Quality

Staff: Scott Whittier, Bureau of Remediation and Waste Mgmt.

Staff: Mike Hudson, Bureau of Remediation and Waste Mgmt.

Next Regular Board Meeting – Thursday, September 2, 2004 – Holiday Inn / Ground Round, Augusta